

Appl. No. 10/668,738
Amdt. dated May 9, 2005
Reply to office action of February 7, 2005

REMARKS

This is in response to the Office Action mailed on February 7, 2005. The Office Action rejected Applicants' Claims 1, 6, 7, 13 and 16 as being anticipated by U.S. Pat. No. 6,438,561 ("Israni"). The Office Action rejected Claims 13-18 as being anticipated by U.S. Pat. No. 6,208,932 ("Ohmura") and further rejected Claims 13, 14 and 16 as being anticipated by U.S. Pat. No. 6,317,058 ("Lemelson"). The Office Action also indicated that Claims 2-5, 8, 10-12 and 19 would be allowable if rewritten in independent form. The Office Action allowed Claims 20-23.

With this response, Claims 1, 3-5 and 13 have been amended; Claim 2 has been canceled. Applicants respectfully request the Examiner to reconsider the present application. Applicants submit that all pending claims are in condition for allowance.

Allowed Claims and Allowable Subject Matter

Applicants appreciate the allowance of Claims 20-23 and the indication that Claims 2-5, 8, 10-12 and 19 would be allowable if rewritten in independent form.

Independent Claim 1

Applicants have amended independent Claim 1 to include the claim element of allowable dependent Claim 2. Accordingly, Applicants submit that independent Claim 1 is in condition for allowance.

Independent Claim 13

Applicants amended independent Claim 13 relates to a method that obtains data indicating a plurality of traffic conditions and prioritizes the traffic conditions into an order based upon considering at least one of a plurality of recited factors. Independent Claim 13 is not anticipated by the cited references because they fail to disclose or suggest every claim element recited by the claim. Specifically, the references do not disclose or suggest prioritizing the traffic conditions into an order.

Israni does not anticipate Claim 13 because Israni fails to disclose or suggest prioritizing the traffic conditions into an order. Although Israni discloses traffic messages

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that include various kinds of information including a level of severity of a traffic problem, the level of severity does not disclose the recited claim element of prioritizing the traffic conditions into an order. Rather, the level of severity merely indicates one of several different possible levels, such as light congestion, moderate congestion or severe congestion. (*see*, Israni: column 5, lines 14-34). Thus, the level of severity of Israni does not prioritize the plurality of traffic conditions into an order.

Ohmura also does not anticipate Claim 13 because Ohmura fails to disclose or suggest prioritizing the traffic conditions into an order. Ohmura relates to a navigation system that selectively and preferentially outputs information to a driver. (*see*, Ohmura: column 1, lines 4-8). The types of information provided to the driver include urgent information, vehicle information, navigation information, traffic, weather, news, sports, events and music title. Because providing too much information may confuse the driver, Ohmura assigns a priority order to the information if there is a plurality of information to be provided to the driver simultaneously. For example, urgent information is given a priority of 1, vehicle information a priority of 2, traffic information a priority of 4, weather information a priority of 6 and so on. (*see*, Ohmura: Figure 6, column 11, lines 4-7). Although Ohmura discloses providing a priority order for different types of information to present to the driver, Ohmura fails to disclose prioritizing the plurality of traffic conditions into an order. Rather, Ohmura completely fails to disclose prioritizing the traffic information into an order and merely discloses providing a priority order for different information to present to the driver.

Furthermore, Lemelson does not anticipate Claim 13 because Lemelson fails to disclose or suggest prioritizing the traffic conditions into an order. Lemelson relates to a system for distributing warning messages that uses fuzzy logic to select which of a plurality of warning messages to display. (*see*, Lemelson: column 15, lines 44-46). The system includes a central fuzzy logic controller that uses as input variables level of avoidance, length of warning radius and distance to dangerous situation to generate output signals that indicate danger indices for vehicles in the vicinity of the situation. Vehicles receive warning signals from the central controller defining the avoidance level and GPS coordinates of the dangerous situation. (*see*, Lemelson: column 16, lines 1-10). A fuzzy

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controller in the vehicle selects the particular situation to avoid relative to the location of the vehicle and provides the warning message to the driver. (*see*, Lemelson: column 18, lines 30-37). The Lemelson system fails to disclose prioritizing the dangerous situations into an order; rather, the Lemelson system uses fuzzy logic to select a particular situation to avoid. Thus, Lemelson completely fails to disclose prioritizing the traffic information into an order.

For at least the above reasons, Applicants' Claim 13 is not anticipated by the cited references.

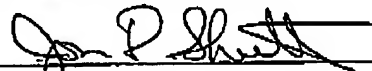
Applicants' dependent Claims 3-12 and 14-19

Applicants' dependent Claims 3-12 and 14-19 are allowable at least for the reason that they depend upon allowable base claims. In addition, these claims include features that are not disclosed by the cited references.

Conclusion

With the present response, all the issues in the Office Action mailed February 7, 2005 have been addressed. Applicant submits that the present application has been placed in condition for allowance. If any issues remain, the Examiner is requested to call the undersigned at the telephone number indicated below.

Respectfully submitted,


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